IN RE: PETITION FOR SPECIAL HEARING

S/S Knecht Avenue, 503' NW of

Benson Avenue

(1417 Knecht Avenue)
13th Election District
1st Councilmanic District

BrockCo, L.L.P. Petitioner

* BEFORE THE

* DEPUTY ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 97-54-SPH

*

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 1417 Knecht Avenue, located in the vicinity of Southwestern Boulevard in Arbutus. The Petition was filed by the owner of the property, BrockCo, L.L.P., by Stephen P. Kauffman, Esquire. The Petitioner seeks approval of a waiver of road improvements to Parker Road located adjacent to the subject property for a proposed 17,850 sq.ft. warehouse, office, and wholesale carpet showroom. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Stephen P. Kauffman, Esquire, and other representatives of BrockCo, L.L.P. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.7967 acres, more or less, zoned M.L.-I.M. and is presently unimproved but for a parking lot. The Petitioner proposes to develop the site with a 17,850 sq.ft. combination carpet showroom and warehouse with related office space in accordance with Petitioner's Exhibit 1. The Petitioner has requested a waiver of road improvements to Parker Road through the Department of Permits and Development Management

JADER RECEIVED FOR FILMS

MICROFILM

(DPDM). By letter dated August 16, 1996 from Robert W. Bowling, Chief of the Development Plans Review Division of DPDM, approval of the waiver was recommended to this Hearing Officer.

This waiver request comes before this Hearing Officer pursuant to Section 26-172 of the Baltimore County Code (BCC). A waiver may be granted provided that the Hearing Officer finds the following: a) that the size, scope and nature of a proposed development does not justify strict compliance with these regulations; b) that a waiver would be within the scope, purpose and intent of these regulations; and, c) that all other County laws, ordinances and regulations have been complied with; or, d) that compliance with these regulations would cause unnecessary hardship.

After considering the testimony and evidence offered by the Petitioner as well as the Stipulation entered into evidence as Petitioner's Exhibit 2, I find that the Petitioner would, in fact, suffer unnecessary hardship if strict compliance with all development regulations specifically relating to road improvements to Parker Road were required. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this /day of September, 1996 that the Petition for Special Hearing seeking approval of a waiver of road improvements to Parker Road adjacent to the subject property for a proposed 17,850 sq.ft.

warehouse, office, and wholesale carpet showroom, in accordance with

Petitioner's Exhibit 1, be and is hereby GRANTED.

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

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TMK:bjs

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

September 12, 1996

Stephen P. Kauffman, Esquire BrockCo, L.L.P. 15117 Old Hanover Road Upperco, Maryland 21155

RE: PETITION FOR SPECIAL HEARING

S/S Knecht Avenue, 503' NW of Benson Avenue

(1417 Knecht Avenue)

13th Election District - 1st Councilmanic District

BrockCo, L.L.P. - Petitioner

Case No. 97-54-SPH

Dear Mr. Kauffman:

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

Very truly yours,

Sunthy Kotron

TIMOTHY M. KOTROCO

Deputy Zoning Commissioner

for Baltimore County

TMK:bis

cc: People's Counsel

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Petition for Special Hearing

to the Zoning Commissioner of Baltimore County

for the property located at

1417 Knecht Avenue

which is presently zoned

ML-TM

This Petition shall be filed with the Office of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

waiver of road improvements to Parker Road adjacent to the property

Property is to be posted and advertised as prescribed by Zoning Regulations.

I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	Vive Go scientify declare and affirm, under the penalties of perjury, that I/we are legal owner(s) of the property which is the subject of this Petition.
Contract Purchaser/Lessee:	Legal Owner(s):
(Type or Print Name)	Brockco, L.L.P. (Type or Print Name)
Signature	Strature Strature
Address	Stephen P. Kauffman Attorney (Type or Print Name)
City State Zipcode	Signature
Attorney for Petitioner:	15117 Old Hanover Road 833-8108 Address Phone No.
Stephen P. Kauffman, P.A.	Upperco, MD 21155
(Type or Print Name) Step Harff	City State Zipcode Name, Address and phone number of representative to be contacted Mr. Gary Brockmeyer
620 West Conway Street 528-9511 Address Phone No.	Name 15117 Old Hanover Road 833-8108 Address Phone No.
Baltimore, Maryland 21230 City State Zpcode	OFFICE USE ONLY
. A. 2011	ESTIMATED LENGTH OF HEARING unavailable for Hearing
A Private Advantage	the following dates Next Two Months
· Y	ALLOTHER
MICROFILMED	REVIEWED BY:DATE

Description to Accompany Petition for Special Hearing for Road Improvement Waiver No. 1417 Knecht Avenue 13th Election District

97-54-SPH

July 5, 1996

Beginning for the same at a point on the south side of Knecht Avenue, said point distant North 48° 03' West 503 feet more or less from the point of intersection of the centerlines of Knecht Avenue and Benson Avenue, running thence and leaving the south side of Knecht Avenue

- 1) South 46° 26' 46" West 246.48 feet to the north side of Parker Road, running thence and binding on the north side of Parker Road
- 2) North 43° 31' 22" West 263.26 feet, running thence and leaving the north side of Parker Road
 - 3) North 44° 19' 26" East 238.32 feet to the aforementioned south side of Knecht Avenue, running thence and binding along the south side of Knecht Avenue
 - 4) South 45° 16' 34.8" East 272.21 feet to the place of beginning.

Containing 1.489 acres of land more or less.

This description is intended for special hearing purposes only and should not be used for conveyance of land.







Post by: 8 22 96

CASE NUMBER: 97-54-SPH (Item 48)

1417 Knecht Avenue

S/S Knecht Avenue, 503' NW of Benson Avenue 13th Election District - 1st Councilmanic Legal Owner(s): BrockCo, LLP

Special Hearing to approve a waiver of road improvements to Parker MCROFILMED Road adjacent to the property.

HEARING: FRIDAY CERTIFICATION CE

HEARING: FRIDAY, SEPTEMBER 6, 1996 at 2:00 p.m. in Room 106, County
Office Building.

Stephen Kaufman, Esq. 528-9511



BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT TOWSON, MARYLAND 21204

DIRECTOR

BUILDINGS ENGINEER

97-54-5PH

CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY Townson, Maryiand

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District/372	Date of Posting
Posted for:	9-6-96 Hearing Brockes LLP
Location of property:	
	1417 Knecht Au (Run).
Remarks:	Posted or PANKER ROAD - Plan is worked Norman Plus Date of return:
Number of Signs:	

(£)



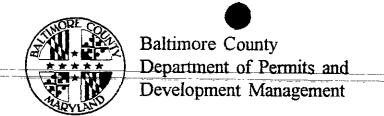
CERTIFICATE OF PUBLICATION

TOWSON, MD.,_

ON, MD.,

THE JEFFERSONIAN.

LEGAL AD. - TOWSON



Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

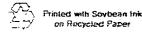
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- 2) Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD JABLON, DIRECTOR					
For newspaper advertising:					
Item No.: 48 Petitioner: BROCKCO, L.U.P.					
Location: 1417 KNECHT AVENUE					
PLEASE FORWARD ADVERTISING BILL TO: BROCKCO, U.S. NAME: C/O GARY BROCKMEYER					
ADDRESS: 15117 OLD HANDVER RUAD					
UPPERED, MD 21155					
PHONE NUMBER: 410-933-8108					



MICROFILMED

TO: PUTUXENT PUBLISHING COMPANY

August 22, 1996 Issue - Jeffersonian

Please foward billing to:

BrockCo, LLP c/l Gary Brockmeyer 15117 Old Hanover Road Upperco, MD 21155 833-8108

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-54-SPH (Item 48)

1417 Knecht Avenue

S/S Knecht Avenue, 503° NW of Benson Avenue 13th Election District - 1st Councilmanic

Legal Owner(s): BrockCo, LLP

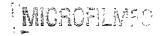
Special Hearing to approve a waiver of road improvvements to Parker Road adjacent to the property.

HEARING: FRIDAY, SEPTEMBER 6, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT
ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.

(2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.



TOY: GBMG-EXCIMER LASER BUTTE JOB NO. 2407ME

DATE 061196 PACE 11

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Baltimore County Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

manuscript in the contraction of the contraction of

August 15, 1996

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-54-SPH (Item 48)

1417 Knecht Avenue

S/S Knecht Avenue, 503' NW of Benson Avenue

13th Election District - 1st Councilmanic

Legal Owner(s): BrockCo, LLP

Special Hearing to approve a waiver of road improvvements to Parker Road adjacent to the property.

HEARING: FRIDAY, SEPTEMBER 6, 1996 at 2:00 p.m. in Room 106, County Office Building.

Arnold Jablon

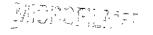
Director

cc: BrockCo, L.L.P.

Stephen P. Kauffman, P.A.

NOTES: (1) ZONING SIGN & POST MUST BE REFURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE.

- (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353.
- (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.







Baltimore County Department of Permits and Development Management

Development Processing
County Office Building
111 West Chesapeake Avenue
Towson, Maryland 21204

August 29, 1996

Stephen P. Kauffman, P.A. 620 West Conway Street Baltimore, MD 21230

· RE: Item No.: 48

Case No.: 97-54-SPH

Petitioner: BrockCo, L.L.P.

Dear Mr. Kauffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Sincerely.

W. Carl Richards, Jr.

Zoning Supervisor

WCR/re
Attachment(s)

COIN OPERATED AMUSEMENT DEVICE APPLICATION

FEE: \$150.00

BALTIMORE COUNTY, MARYLAND



each machi	ne		OF PERMITS & LICE	NSES	
per year.			OFFICE BUILDING MARYLAND 21204		
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LAWS AND ANY OTHER LAWS AND REGULATIONS (* Serial numbers must be included; either the manufacturer's # or an owner assigned #.)					

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TYPE OF ZONING/ MAXIMUM # DEVICES:					
Date Paid:	Date Paid: Cash Receipt # Total Fee: Date Issued:				
Reference	# Dat	a Entered	lnitials		P&L:ADL1/92

INTEROFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

Date: August 16, 1996

Department of Permits & Development

Management

FROM:

Robert W. Bowling, Chief

Development Plans Review Division

SUBJECT:

Zoning Advisory Committee Meeting

for August 19, 1996 Item Number 048

The Development Plans Review Division has reviewed the subject zoning item.

The D.R.C. meeting of June 3, 1996 recommended waiver of the curb widening and sidewalk improvements to north side of Parker Road.

RWB:HJO:jrb

cc: File

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: August 22, 1996

Permits and Development

Management

FROM:

Pat Keller, Director

Office of Planning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s):

Item Nos. 33, (48, 55, 58, 62, 63, 65, 66, 67, and 69)

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

Prepared by: Jeffry W. Zong

Division Chief: Cayl Kens

PK/JL

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DEPARTMENT OF PERMITS AND DEVELOPMENT MANAGEMENT TOWSON, MARYLAND 21204

COURTETOR

BUILDINGS ENGINEER

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 08/14/96

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner: BROCK CO, LLP

Location: S/S KNECHT AVE. 503' NW OF BENSON AVE. (1417 KNECHT AVE.)

Item No.: 048 Zoning Agenda: SPECIAL HEARING

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

- 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.
- 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

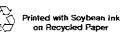
1 5 1005

REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

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DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

T0:

FROM:

PDM

R. Bruce Seeley

Permits and Development Review

DEPRM

SUBJECT:

Zoning Advisory Committee Meeting Date: (14,7)

The Department of Environmental Protection & Resource Management has no comments for the following Zoning Advisory Committee Items:

Item #'s:

RBS:sp

BRUCE2/DEPRM/TXTSBP

#43 --- JRA

- 1. Petition form does not have section number or what they are requesting.
- 2. Petition form states zoning is "residential".

#45 --- MJK

- 1. Petition was not given copy of receipt still in folder.
- 2. No telephone number for legal owner

#46 --- MJK

1. No telephone number for legal owner.

#48 --- JLL

1. Need authorization for attorney to sign for legal owner.

#49 --- MJK

1. No telephone number for legal owner.

#52 --- MJK

- 1. Receipt not given to petition still in folder.
- 2. No name, address, etc. for legal owner.

MICROFILMED

FITTING NAME TABLE

ABBREV. NAME Generic Alarm Va Α В Generic Butterfly Valve C Roll Groove for D Generic Dry Pipe Valve E 90' Standard Elbow F 45' Elbow G Generic Gate Valve K Generic Detector \mathbf{L} 90' Long Turn Elbow М 90' Medium Turn Elbow Q Generic Flow Control Val S Generic Swing Ch T 90' Flow thru Tee W Generic Wafer Ch \mathbf{Z} Generic Wafer Ch

RE: PETITION FOR SPECIAL HEARING	* .	BEFORE THE
1417 Knecht Avenue, S/S Knecht Avenue,		
503' NW of Benson Avenue	*	ZONING COMMISSIONER
13th Election District, 1st Councilmanic		
•	*	OF BALTIMORE COUNTY
BrockCo, LLP		
Petitioners	*	CASE NO. 97-54-SPH
Lect Clouers		CIDII NO. 37 OF DIN

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN

People's Counsel for Baltimore County

diale S. Demilio

ter Mars Commencer

CAROLE S. DEMILIO

Deputy People's Counsel Room 47, Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-2188

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 29 day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to Stephen P. Kauffman, Esq., 620 W. Conway Street, Baltimore, MD 21230, attorney for Petitioners.

PETER MAX ZIMMERMAN

a Max Zimmeinan

IN RE: PETITION FOR SPECIAL HEARING
1417 Knecht Avenue
s/s Knecht Ave, 503' N.W. of Benson Ave.
13th Election District
1st Councilmanic District
BrockCo, L.L.P., Petitioner

BEFORE THE

ZONING COMMISSIONER

OF BALTIMORE COUNTY

* Case No. 97-54-SPH

STIPULATION

BrockCo L.L.P. ("BrockCo"), the Petitioner, respectfully submits the following Stipulation for use as evidence in this proceeding:

- 1. BrockCo, L.L.P. ("BrockCo"), the Petitioner, is a Maryland Limited Liability
 Partnership and the owner of a property known as 1417 Knecht Avenue (the "Property"). Gary
 Brockmeyer and Nancy Brockmeyer (the "Brockmeyers") are the principals of BrockCo.

 Present on behalf of BrockCo are Stephen P. Kauffman, its attorney, James E. Matis, P.E., a
 principal of Matis Warfield, Inc. and the professional engineer who prepared the site plan for the
 project, and Gary Brockmeyer, one of BrockCo's principals.
- 2. A metes and bounds description of the Property is attached to this Stipulation and labeled Exhibit 1. The Property consists of 1.7967 acres, more or less, and is zoned ML-IM.
- 3. The Property is currently improved by a parking lot containing 41,000 square feet, more or less.
- 4. BrockCo proposes to improve the Property by erecting a commercial building consisting of 17,850 square feet (the "Proposed Improvement") to be used as a warehouse, office and showroom for selling carpet wholesale (the "Proposed Use"). The Proposed Improvement will consist of 14,700 square feet at ground level and 3,150 square feet at a mezzanine level.





- 5. Attached and labeled Exhibit 2 is a plat describing the Proposed Development which has been prepared by Matis Warfield, Inc., BrockCo's engineers. Development Plan approval has been received pursuant to a §26-171(b)(9) limited exemption granted by the Baltimore County Development Review Committee per DRC 03186K. See letter dated March 22, 1996 attached and labeled Exhibit 3.
- 6. After completion, the Proposed Improvement will be occupied primarily by B&B Commercial Interiors, Inc. ("B&B"), a company engaged in the commercial interior design business. The Brockmeyers are the principals of B&B.
- 7. BrockCo seeks a waiver of a Department of Public Works' requirement to widen and install new curbing on Parker Road, which is adjacent to the Property (the "Proposed Waiver"). BrockCo submits that the requirements from which it seeks relief would unduly restrict its use of of the Property for the following reasons:
 - a. Currently there is no public access to the Property from Parker Road, and BrockCo does not intend to create public access to the Property from Parker Road. The only existing and/or planned public access to the Property is from Knecht Avenue;
 - b. Due to the topography of the Property as evidenced by the photographs attached and labeled Exhibits 4 and 5, it is not practical for BrockCo to create public access to the Property from Parker Road;
 - c. Adjacent commercial properties burdened with existing uses which are more intensive than BrockCo's Proposed Use have not and were not required to improve Parker Road;
 - d. The required improvements would result in the destruction of numerous mature trees, a valuable resource; and
 - e. If granted, the Proposed Waiver will not be detrimental to the public health, safety, and general welfare.

- 8. BrockCo represents that all of the facts set forth herein and all of the documents attached hereto are accurate, true and complete and that the photographs attached hereto accurately depict what they purport to represent.
- 9. Pursuant to a waiver the Department of Public Works' standards submitted per DRC 05286C, both the Baltimore County Development Review Committee and the Baltimore County Director of Public Works have recommended support for the waiver of the Department of Public Works' standards. Attached and labeled Exhibit 6 is a letter dated June 5, 1996 recommending support of this waiver.

Respectfully Submitted,

Stephen P. Kauffman

Stephen P. Kauffman, P.A.

602 West Conway Street
Baltimore, Maryland 21230

(410) 528-9511

Attorney for the Petitioner

BROCKCO, L.L.P. STIPULATION Exhibit List

<u>Exhibit</u>	Description
1	Metes and bounds description of the Property
2	Plat describing the Proposed Development
3	Letter dated March 22, 1996
4	Photograph No. 1
5	Photograph No. 2
6	Letter dated June 5, 1996

CONTINUATION

File No. 1960035

Commitment No. 1960035

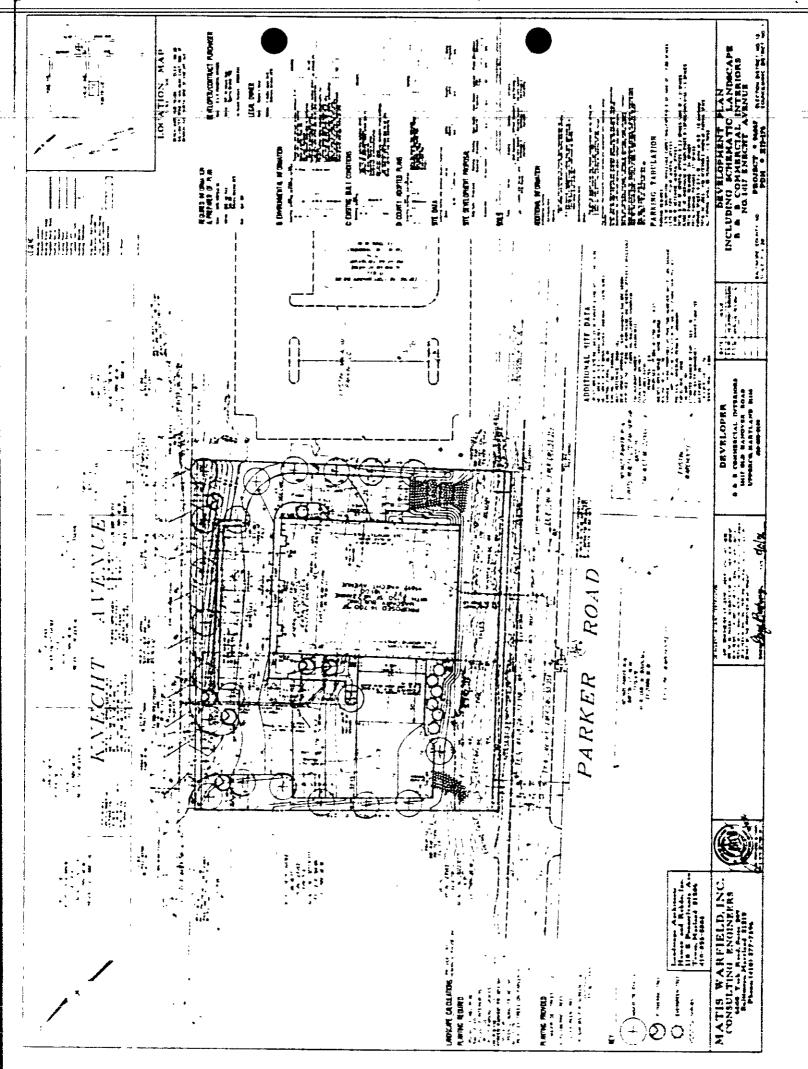
LEGAL DESCRIPTION

BEGINNING FOR THE SAME at a point on the northeast side of Parker Road, 50 feet wide, distant 484.81 feet northeasterly from the northwest side of Benson Avenue; running thence, binding on said northeast side of Parker Road, as now surveyed, referring all bearings to the Grid Meridian established by the Baltimore County Metropolitan District,

- 1. North 43 degrees 31 minutes 22 seconds West 263.26 feet to a point, to intersect the prolongation in a southwesterly direction of the southeast side of Lot No. 17, Section A, as shown on the Plat of Forest Hills, recorded among the and Records of Baltimore County in Plat Book CWB, Jr. No. 12, folio 92; thence running with and binding on said southeast side of Lot No. 17;
- 2. North 44 degrees 19 minutes 26 seconds East 238.32 feet to a point on the southwest side of Knecht Avenue, 50 feet wide; thence binding on said southwest side of Knecht Avenue;
- 3. South 45 degrees 16 minutes 35 seconds East 272.21 feet to a point to intersect a line drawn at right angles to said Parker Road from the place of beginning; thence reversing said line do drawn and binding thereon,
- 4. South 46 degrees 26 minutes 46 seconds West 246.48 feet to the place of beginning.

CONTAINING 64,879 square feet or 1.4894 acres of land, more or less.

BEING the same lot of ground described in a Deed dated November 20, 1992 and recorded among the Land Records of Baltimore County in Liber 9584, folio 262 was conveyed from A.C. MacDonald, Incorporated to Richard H. Howell and Peggy M. Haas Howell, his wife.



Baltimore County Government Department of Permits and Development Management



111 West Chesapeake Ave. Towson, Md. 21204

(410) 887-3321

March 22, 1996

Matis Warfield, Inc. 6600 York Road, Ste. 209 Baltimore, Maryland 21212

> RE: B & B Commercial Interiors 1417 Knecht Avenue DRC Number 03186K, Dist. 13C1

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on March 18, 1996 and made the following recommendations:

The DRC has determined that your project meets the requirements of a limited exemption under Section 26-171 (b)(9).

Please be aware that minor public improvements may be done through the private contract process. Please contact Robert Bowling, Development Plans Review at 887-3751 for further information.

Matis Warfield, Inc.

B & B Commercial Interiors

March 22, 1996

Page 2

In order to further process your development plan, submit two check prints of the plan, prepared in accordance with Section 26-203 of the development regulations, and a copy of this letter to this office.

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set forth above. It is this 21st day of March, 1996, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

Sincerely,

Arnold Jablon

Director

AJ:DTR:aw

c: Bruce Seeley
Carol Brown
Robert W. Bowling
File





Baltimore County Government Department of Permits and Development Management



111 West Chesapeake Ave. Towson, Md. 21204

(410) 887-3321

June 5, 1996

James E. Matis, P.E. Matis Warfield, Inc. 6600 York Road, Ste. 209 Baltimore, Maryland 21212

> RE: B & B Commercial Interiors 1417 Knecht Avenue DRC Number 05286C, Dist. 13C1

Dear Sir:

Pursuant to Article 25A, Section 5(U) of the Annotated Code of Maryland and as provided in Section 602(d) of the Baltimore County Charter and Section 26-132 of the Baltimore County Code, this letter constitutes an administrative order and decision on the request for issuance, renewal or modification of a license, permit, approval, exemption, waiver or other form of permission you filed with this department.

Your request has been submitted for careful review and consideration to the Development Review Committee (DRC), which is composed of representatives from each of those departments involved in land use decisions. These representatives are designees of the directors of these departments. The purpose of the DRC is to insure compliance with Section 26-171 and Section 26-211 of the Baltimore County Code and to make recommendations to the Director, Department of Permits and Development Management.

The DRC has in fact met in an open meeting on May 28, 1996 and made the following recommendations:

The Development Review Committee (DRC) reviewed the plan submitted on the above referenced project and the Director of Public Works has recommended support of the Waiver of Public Works Standards. Please be advised that the waiver can only be granted by filing a petition for a special hearing before the Zoning Commisioner, which can be applied for through the Zoning Office.

James E. Matis
B & B Commercial Interiors
June 5, 1996
Page 2

I have reviewed the recommendations carefully and I have determined to adopt the recommendations set for above. It is this 5th day of June, 1996, ordered and decided that the recommendations of the DRC are hereby adopted.

Should you submit an application for any permits that may be required for this project, your application will be processed subject to the conditions set forth above and any plans, securities, or non-county permits that may be required in accordance with County, State, or Federal regulations.

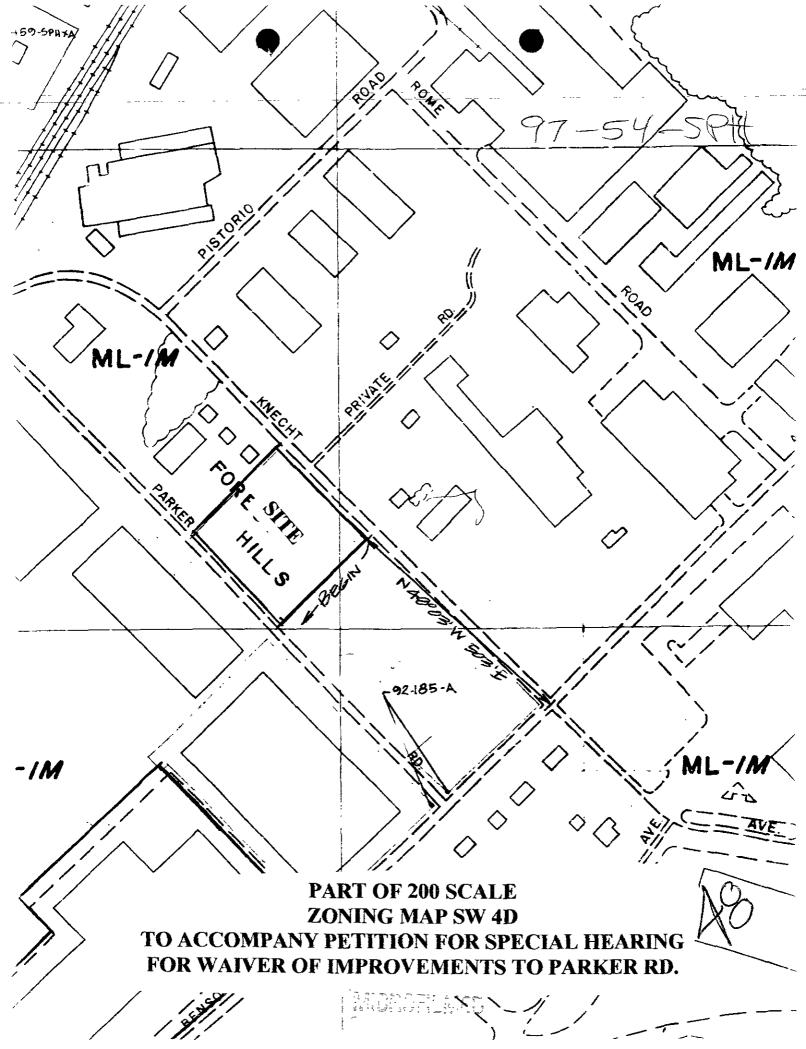
Sincerely,

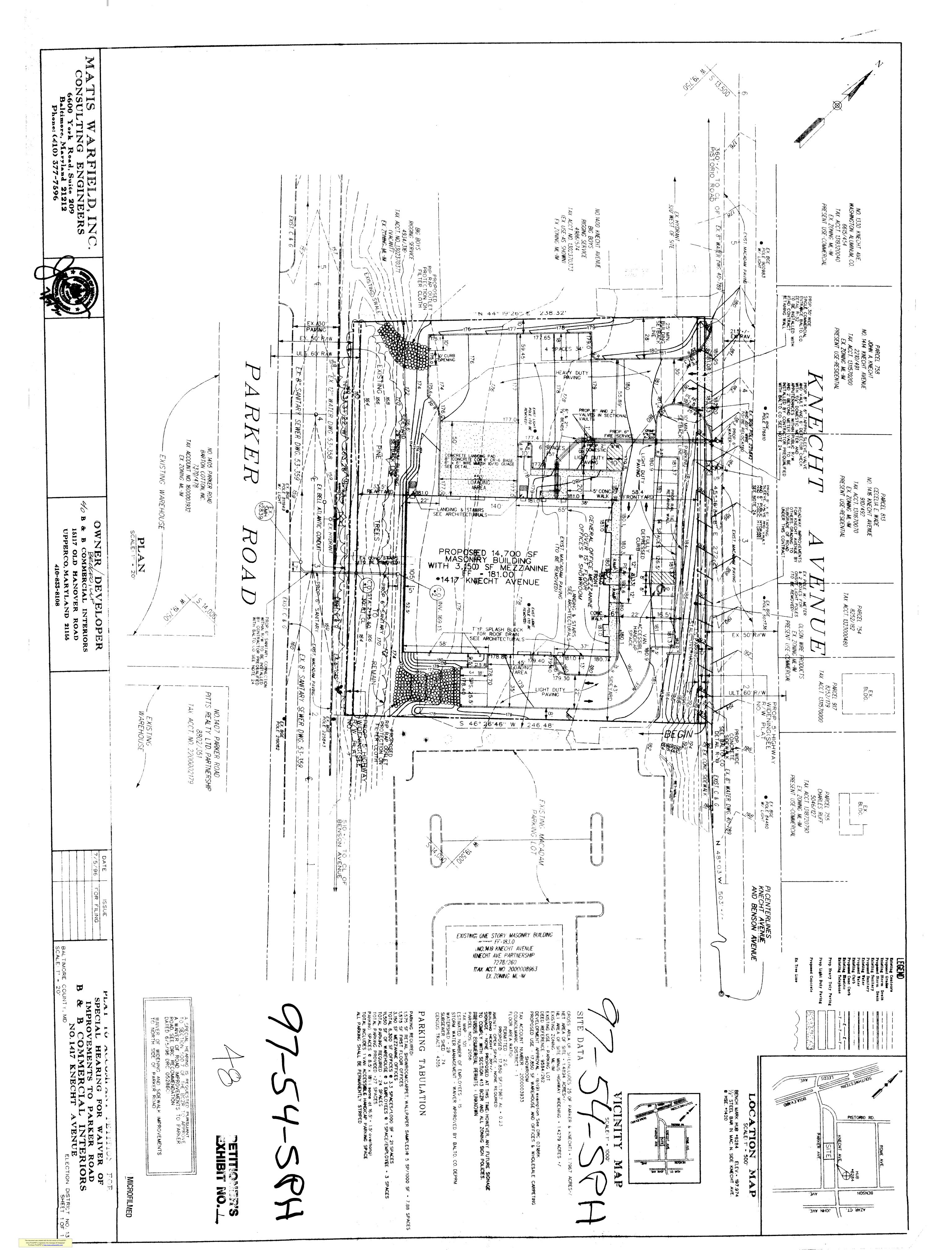
Arnold Jablon Director

and Jollan

AJ:DTR:jw

c: Bruce Seeley
Carol Brown
Robert Bowling
File





1st Councilmanic District

* DEPUTY ZONING COMMISSIONER (1417 Knecht Avenue) * OF BALTIMORE COUNTY 13th Election District

* Case No. 97-54-SPH BrockCo, L.L.P. Petitioner * * * * * * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Deputy Zoning Commissioner as a Petition for Special Hearing for that property known as 1417 Knecht Avenue, located in the vicinity of Southwestern Boulevard in Arbutus. The Petition was filed by the owner of the property, BrockCo, L.L.P., by Stephen P. Kauffman, Esquire. The Petitioner seeks approval of a waiver of road improvements to Parker Road located adjacent to the subject property for a proposed 17,850 sq.ft. warehouse, office, and wholesale carpet showroom. The subject property and relief sought are more particularly described on the site plan submitted which was accepted and marked into evidence as Petitioner's Exhibit 1.

Appearing at the hearing on behalf of the Petition were Stephen P. Kauffman, Esquire, and other representatives of BrockCo, L.L.P. There were no Protestants present.

Testimony and evidence offered revealed that the subject property consists of a gross area of 1.7967 acres, more or less, zoned M.L.-I.M. and is presently unimproved but for a parking lot. The Petitioner proposes to develop the site with a 17,850 sq.ft. combination carpet showroom and warehouse with related office space in accordance with Petitioner's Exhibit 1. The Petitioner has requested a waiver of road improvements to Parker Road through the Department of Permits and Development Management

(DPDM). By letter dated August 16, 1996 from Robert W. Bowling, Chief of the Development Plans Review Division of DPDM, approval of the waiver was recommended to this Hearing Officer.

This waiver request comes before this Hearing Officer pursuant to Section 26-172 of the Baltimore County Code (BCC). A waiver may be granted provided that the Hearing Officer finds the following: a) that the size, scope and nature of a proposed development does not justify strict compliance with these regulations; b) that a waiver would be within the scope, purpose and intent of these regulations; and, c) that all other County laws, ordinances and regulations have been complied with; or, d) that compliance with these regulations would cause unnecessary hardship.

After considering the testimony and evidence offered by the Petitioner as well as the Stipulation entered into evidence as Petitioner's Exhibit 2, I find that the Petitioner would, in fact, suffer unnecessary hardship if strict compliance with all development regulations specifically relating to road improvements to Parker Road were required. It has been established that the requirements from which the Petitioner seeks relief would unduly restrict the use of the land due to the special conditions unique to this particular parcel. In addition, the relief requested will not be detrimental to the public health, safety, and general welfare.

Pursuant to the advertisement, posting of the property, and public hearing on this Petition held, and for the reasons given above, the special hearing should be granted.

THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Baltimore County this day of September, 1996 that the Petition for THEREFORE, IT IS ORDERED by the Deputy Zoning Commissioner for Special Hearing seeking approval of a waiver of road improvements to Parker Road adjacent to the subject property for a proposed 17,850 sq.ft.

warehouse, office, and wholesale carpet showroom, in accordance with Petitioner's Exhibit 1, be and is hereby GRANTED.

TMK:bjs

TIMOTHY M. KOTROCO Deputy Zoning Commissioner for Baltimore County

> 13th Election District - 1st Councilmanic District BrockCo, L.L.P. - Petitioner Case No. 97-54-SPH

Suite 112 Courthouse

Towson, MD 21204

400 Washington Avenue

BrockCo, L.L.P.

Dear Mr. Kauffman:

Stephen P. Kauffman, Esquire

RE: PETITION FOR SPECIAL HEARING

(1417 Knecht Avenue)

S/S Knecht Avenue, 503' NW of Benson Avenue

15117 Old Hanover Road Upperco, Maryland 21155

Enclosed please find a copy of the decision rendered in the above-captioned matter. The Petition for Special Hearing has been granted in accordance with the attached Order.

Baltimore County Government

Zoning Commissioner
Office of Planning and Zoning

September 12, 1996

In the event any party finds the decision rendered is unfavorable, any party may file an appeal to the County Board of Appeals within thirty (30) days of the date of this Order. For further information on filing an appeal, please contact the Zoning Administration and Development Management office at 887-3391.

> Very truly yours, TIMOTHY M. KOTROCO

(410) 887-4386

Deputy Zoning Commissioner for Baltimore County

cc: People's Counsel

TMK:bjs

Petition for Special Hearing to the Zoning Commission of the Zoning Com

for the property located at 1417 Knecht Avenue which is presently zoned ML-TM

This Petition shall be filed with the Offics of Zoning Administration & Development Management.

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached. hereto and made a part hereof, hereby patition for a Special Hearing under Section 500.7 of the Zoning Regulations of Baltimore County, to determine whether or not the Zoning Commissioner should approve

waiver of road improvements to Parker Road adjacent to the property

Property is to be posted and advertised as prescribed by Zoning Regulations. I, or we, agree to pay expenses of above Special Hearing advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zening regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law for Baltimore County.

	:	VWe do solemnly declare and afrirm, under the penalties of perjury, that I/we are legal owner(a) of the property which is the subject of this Petition.
Contract Purchaser/Lesses:		Legal Ownerts):
		BrockCo, L.L.P.
(Type or Frint Name)	((Type or Print Name)
Signature	 ·	Signature
		Stephen P. Kauffman Attorney
Address		(Type or Print Name)
City State	Zipcode	Signature
•		15117 Old Hanover Road 833-8108
Attorney for Petitioner:		Address Phone No.
Stephen P. Kauffman, P.A.		Upperco, MD 21155
(Type or Print Name)		City State Zipcode Name, Address and phone number of representative to be contacted.

Description to Accompany Petition for Special Hearing for Road Improvement Waiver No. 1417 Knecht Avenue 13th Election District July 5, 1996

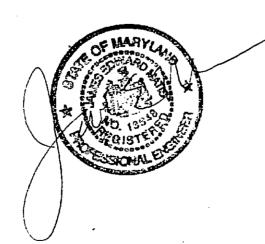
Beginning for the same at a point on the south side of Knecht Avenue, said point distant North 48° 03' West 503 feet more or less from the point of intersection of the centerlines of Knecht Avenue and Benson Avenue, running thence and leaving the south side of Knecht Avenue

1) South 46° 26' 46" West 246.48 feet to the north side of Parker Road, running thence and binding on the north side of Parker Road 2) North 43° 31' 22" West 263.26 feet, running thence and leaving the north side of

3) North 44° 19' 26" East 238.32 feet to the aforementioned south side of Knecht Avenue, running thence and binding along the south side of Knecht Avenue 4) South 45° 16' 34.8" East 272.21 feet to the place of beginning.

Containing 1.489 acres of land more or less.

This description is intended for special hearing purposes only and should not be used for conveyance of land.



S/S Knecht Avenue, 503' NW of Benson Avenue 13th Election District - 1st Councilmanic Legal Owner(s): BrockCo, LLP Special Hearing to approve a waiver of road improevements to Parker Road adjacent to the property. HEARING: FRIDAY, SEPTEMBER 6, 1996 at 2:00 p.m. in Room 106, County 97-5.4-5PH CERTIFICATE OF POSTING ZONING DEPARTMENT OF BALTIMORE COUNTY

CASE NUMBER: 97-54-SPH (Item 48)

1417 Knecht Avenue

NOTICE OF HEARING The Zoning Commissioner of Baitimore County, by authority of the Zoning Act and Regula-tions of Baitimore County will hold a public hoosing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeate Avenue in Towson, Maryland 21204 or Toom 118, Old Courthouse, 400 Washington Avenue Touson Maryland 21204 as follows: Case: #97-54-SPH (Item 48)
1417 Knecht Avenue
S/S Knecht Avenue, 503' NV.
of Benson Avenue
13th Election District
1st Councilmanic
Legal Owner(s):
BrockCo, LLP
Special Heading to approximate Special Hearing: to approve LAWRENCE E SCHMIDT radiotappee Accessible for special accommodations Piease Call 887-3353.

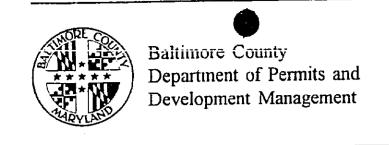
(2) For information concerning the File and/or Hearing, Piease Call 887-3391.

8/295 Aug 22

CERTIFICATE OF PUBLICATION

THIS IS TO CERTIFY, that the annexed advertisement was published in THE JEFFERSONIAN, a weekly newspaper published in Towson, Baltimore County. Md., once in each of ____ successive weeks, the first publication appearing on $\frac{M972}{19}$

THE JEFFERSONIAN.



Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County zoning regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the time of filing.
- Billing for legal advertising, due upon receipt, will come from and should be remitted directly to the newspaper.

NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

ARNOLD	JABLON,	DIRECTOR

For newspaper advertising: Item No.: 40 Petitioner: BROCKCE, L.L.P. Location: 1417 KNECHT AVENUE PLEASE FORWARD ADVERTISING BILL TO:

NAME: C/O GARY BROCKMEYER ADDRESS: 15117 OLD HANNER RUAD UPPERED, MD 21155

PHONE NUMBER: 410-933-8108

Frinted with Soybean Ink

on Recycled Faper

TO: PUTUXENT PUBLISHING COMPANY August 22, 1996 Issue - Jeffersonian

Please foward billing to:

BrockCo, LLP c/l Gary Brockmeyer 15117 Old Hanover Road Upperco, MD 21155 833-8108

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

CASE NUMBER: 97-54-SPH (Item 48) 1417 Knecht Avenue S/S Knecht Avenue, 503' NW of Benson Avenue 13th Election District - 1st Councilmanic Legal Owner(s): BrockCo, LLP

Special Hearing to approve a waiver of road improvvements to Parker Road adjacent to the property. HEARING: FRIDAY, SEPTEMBER 6, 1996 at 2:00 p.m. in Room 106, County Office Building.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

NOTES: (1) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (2) FOR INFORMATION CONCERNING THE FILE AND/OR HEARING, PLEASE CALL 887-3391.

Baltimore County Department of Permits and Development Management

Development Processing County Office Building 111 West Chesapeake Avenue Towson, Maryland 21204

NOTICE OF HEARING

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing on the property identified herein in Room 106 of the County Office Building, 111 W. Chesapeake Avenue in Towson, Maryland 21204

Room 118, Old Courthouse, 400 Washington Avenue, Towson, Maryland 21204 as follows:

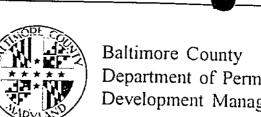
CASE NUMBER: 97-54-SPH (Item 48) 1417 Knecht Avenue S/S Knecht Avenue, 503' NW of Benson Avenue 13th Election District - 1st Councilmanic Legal Owner(s): BrockCo. LLP

Special Hearing to approve a waiver of road improvvements to Parker Road adjacent to the property.

HEARING: FRIDAY, SEPTEMBER 6, 1996 at 2:00 p.m. in Room 106, County Office Building.

cc: BrockCo, L.L.P. Stephen P. Kauffman, P.A.

NOTES: (1) ZONING SIGN & POST MUST BE RETURNED TO RM. 104, 111 W. CHESAPEAKE AVENUE ON THE HEARING DATE. (2) HEARINGS ARE HANDICAPPED ACCESSIBLE; FOR SPECIAL ACCOMMODATIONS PLEASE CALL 887-3353. (3) FOR INFORMATION CONCERING THE FILE AND/OR HEARING, CONTACT THIS OFFICE AT 887-3391.



Department of Permits and Development Management

Development Processing County Office Building III West Chesapeake Avenue Towson, Maryland 21204

August 29, 1996

4. 4.0.0.00

Stephen P. Kauffman, P.A. 620 West Conway Street Baltimore, MD 21230

> RE: Item No.: 48 Case No.: 97-54-SPH Petitioner: BrockCo, L.L.P.

Dear Mr. Kauffman:

The Zoning Advisory Committee (ZAC), which consists of representatives from Baltimore County approval agencies, has reviewed the plans submitted with the above referenced petition, which was accepted for processing by Permits and Development Management (PDM), Zoning Review, on August 1, 1996.

Any comments submitted thus far from the members of ZAC that offer or request information on your petition are attached. These comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties (zoning commissioner, attorney, petitioner, etc.) are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case. Only those comments that are informative will be forwarded to you; those that are not informative will be placed in the permanent case file.

If you need further information or have any questions regarding these comments, please do not hesitate to contact the commenting agency or Roslyn Eubanks in the zoning office (887-3391).

Zoning Supervisor

BALTIMORE COUNTY, MARYLAND

DEPARTMENT OF ENVIRONMENTAL PROTECTION AND RESOURCE MANAGEMENT

INTER-OFFICE CORRESPONDENCE

The Department of Environmental Protection & Resource Management has no

WCR/re

Attachment(s)

Printed with Soybean Ink

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

Date: August 16, 1996 Arnold Jablon, Director Department of Permits & Development

Robert W. Bowling, Chief Development Plans Review Division SUBJECT: Zoning Advisory Committee Meeting

for August 19, 1996

Management

Item Number 048 The Development Plans Review Division has reviewed the subject

zoning item. The D.R.C. meeting of June 3, 1996 recommended waiver of the curb widening and sidewalk improvements to north side of Parker Road.

cc: File

RWB:HJO:jrb

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Arnold Jablon, Director Permits and Development

DATE: August 22, 1996

FROM: Pat Keller, Director Office of Planning

Management

SUBJECT: Petitions from Zoning Advisory Committee

The Office of Planning has no comments on the following petition(s): Item Nos. 33, 48, 55, 58, 62, 63, 65, 66, 67, and 69

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3495.

ITEM33/PZONE/ZAC1

Baltimore County Government Fire Department

Office of the Fire Marshal (410) 387-4880

DATE: 08/14/96

Arnold Jablon Director Zoning Administration and Development Management Baltimore County Office Building Towson, MD 21204 MAIL STOP-1105

RE: Property Owner: BROCK CO. LLP Location: S/S KNECHT AVE. 503' NW OF BENSON AVE. (1417 KNECHT AVE.)

Item No.: 048

700 East Joppa Road

Towson, MD 21286-5500

Zoning Agenda: SPECIAL HEARING

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1991 edition prior to occupancy.

1 4 005

REVIEWER: LT. ROBERT P. SAUERWALD Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

BRUCE2/DEPRM/TXTSBP

Printed with Soybean In' on Recycled Paper

ZONE22B

R. Bruce Seelev

SUBJECT: Zoning Advisory Committee

Permits and Development Review

Meeting Date: (lug 12, 7)

comments for the following Zoning Advisory Committee Items:

PETITION PROBLEMS

#43 --- JRA

- 1. Petition form does not have section number or what they are
- requesting.

 2. Petition form states zoning is "residential".

#45 --- MJK

- 1. Petition was not given copy of receipt still in folder.
- 2. No telephone number for legal owner

<u>#46 --- MJK</u>

1. No telephone number for legal owner.

#48 --- JLL

1. Need authorization for attorney to sign for legal owner.

#49 --- MJK

1. No telephone number for legal owner.

#52 --- MJK

- Receipt not given to petition still in folder.
 No name, address, etc. for legal owner.
- August 7 1006

RE: PETITION FOR SPECIAL HEARING * BEFORE THE

1417 Knecht Avenue, S/S Knecht Avenue,
503' NW of Benson Avenue * ZONING COMMISSIONER

13th Election District, 1st Councilmanic * OF BALTIMORE COUNTY

BrockCo, LLP
Petitioners * CASE NO. 97-54-SPH

ENTRY OF APPEARANCE

Please enter the appearance of the People's Counsel in the abovecaptioned matter. Notice should be sent of any hearing dates or other proceedings in this matter and of the passage of any preliminary or final Order.

PETER MAX ZIMMERMAN
People's Counsel for Baltimore County

CAROLE S. DEMILIO
Deputy People's Counsel
Room 47, Courthouse
400 Washington Avenue
Towson, MD, 21204

CERTIFICATE OF SERVICE

(410) 887-2188

I HEREBY CERTIFY that on this 29 day of August, 1996, a copy of the foregoing Entry of Appearance was mailed to Stephen P. Kauffman, Esq., 620 W. Conway Street, Baltimore, MD 21230, attorney for Petitioners.

PETER MAX ZIMMERMAN

PART OF 200 SCALE
ZONING MAP SW 4D
TO ACCOMPANY PETITION FOR SPECIAL HEARING
FOR WAIVER OF IMPROVEMENTS TO PARKER RD.

IN RE: PETITION FOR SPECIAL HEARING
1417 Knecht Avenue
s/s Knecht Ave, 503' N.W. of Benson Ave.
13th Election District
1st Councilmanic District
BrockCo, L.L.P., Petitioner

* Case No. 97-54-SPH

* * * * * * * * * * * * *

STIPULATION

BrockCo L.L.P. ("BrockCo"), the Petitioner, respectfully submits the following

Stipulation for use as evidence in this proceeding:

- 1. BrockCo, L.L.P. ("BrockCo"), the Petitioner, is a Maryland Limited Liability
 Partnership and the owner of a property known as 1417 Knecht Avenue (the "Property"). Gary
 Brockmeyer and Nancy Brockmeyer (the "Brockmeyers") are the principals of BrockCo.
 Present on behalf of BrockCo are Stephen P. Kauffman, its attorney, James E. Matis, P.E., a
 principal of Matis Warfield, Inc. and the professional engineer who prepared the site plan for the
 project, and Gary Brockmeyer, one of BrockCo's principals.
- 2. A metes and bounds description of the Property is attached to this Stipulation and labeled Exhibit 1. The Property consists of 1.7967 acres, more or less, and is zoned ML-IM.
- 3. The Property is currently improved by a parking lot containing 41,000 square feet,

4. BrockCo proposes to improve the Property by erecting a commercial building consisting of 17,850 square feet (the "Proposed Improvement") to be used as a warehouse, office and showroom for selling carpet wholesale (the "Proposed Use"). The Proposed Improvement will consist of 14,700 square feet at ground level and 3,150 square feet at a mezzanine level.



